

REMARKS

The Office Action mailed June 23, 2004 has been reviewed and the comments of the Patent and Trademark Office have been considered. Claims 1-7 and 9-17 were pending in the application. No claims have been amended, claims 1-7 and 9-17 have been canceled, and claims 18-28 have been newly added. Therefore, claims 18-28 are pending in the application and are submitted for reconsideration. Applicant respectfully requests entry and reconsideration of the instant amendment and reply because it is believed to place the application in condition for allowance.

This amendment adds and deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, are presented, with an appropriate defined status identifier.

In the Office Action, claims 1-3, 7, and 13-16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent 5,745,593 (Wahawisan) in view of U.S. patent 6,477,266 (Asar). Claims 4-6 are rejected under 35 U.S.C. §103(a) as being unpatentable over Wahawisan and Asar as applied to claim 2 above, and further in view of U.S. patent 6,070,155 (Cherrington). Claims 1, 2, 8-11, and 13 are rejected under 35 U.S.C. §103(a) as being unpatentable over the "Real-Time Image Processing Using Transputers" article (Toeh article) in view of Asar. Claim 12 is rejected under 35 U.S.C. §103(a) as being unpatentable over the Teoh article and Asar as applied to claim 11 above, and further in view of U.S. patent 6,185,324 ("Ishihara"). Claim 17 is rejected under 35 U.S.C. §103(a) as being unpatentable over Wahawisan and Asar as applied to claim 16 above and further in view of U.S. patent 5,699,447 (Alumot). Claims 1-17 have been canceled, making these rejections moot.

Each of the pending independent claims 18, 20, 22, 24, and 26-28 recite, *inter alia*, that "when a type of inspection to inspect an input image for a product to be inspected is input, information is presented to guide the operation required to set an inspection program suitable for the input type of inspection." This recited feature provides the advantage that if the user inputs a desired type of inspection via the inspection type inputting means, guidance is provided of the operation required to set an inspection program suitable for the desired type

of inspection. Therefore, even a beginner or an operator not familiar with the operation can easily set an inspection program suitable for the desired type of inspection.

The cited references of record provide no teaching or suggestion of the features set forth above. Furthermore, the advantages provided by the claimed invention are also not achievable using the systems in the cited prior art. Therefore, the pending independent claims are believed to be patentable over the applied prior art.

The dependent claims are also patentable for at least the same reasons as the independent claims on which they depend, respectively. In addition, they recite additional patentable features when considered as a whole.

The new claims are well supported throughout the specification. In particular, the claimed features are described, for example, in pages 15-30 of the specification.

In the “Response to Arguments” section, the final office action noted Asar disclosed “specifying the *characteristics* of the *defects* in the *image* (column 6, lines 50-60)” (emphasis added) and stated that this disclosure “in the broadest sense” disclosed the claimed setting of the *image characteristics*. This assertion in the office action is incorrect on at least two grounds. *First*, the standard for interpreting claims in examination is “broadest *reasonable*” interpretation. Therefore, applying the “broadest” interpretation is an incorrect standard. *Second*, one skilled in the art would easily recognize that image characteristics recited in the claims is very different from defect characteristics disclosed in Asar. Therefore, under a broadest reasonable interpretation standard the disclosure of Asar does not disclose or suggest the claimed operation guiding means which guides an operation of specifying an inspection method including specific image characteristics recited in the pending independent claims (for example, claim 18 recites options of shape, size, and brightness). Accordingly, applicant submits that the cancelled claims were distinguishable over the applied prior art and that the pending claims further distinguish over the applied prior art.

In view of the foregoing amendments and remarks, applicant believes that the application is now in condition for allowance. If there are any questions regarding the application, or if an examiner's amendment would facilitate the allowance of one or more of the claims, the examiner is invited to contact the undersigned attorney at the local telephone number below.

Should additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge deposit account No. 19-0741 for any such fees; and applicant hereby petitions for any needed extension of time.

Respectfully submitted,

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